

## **REMARKS**

In the Action, Claims 1-19 are pending. Claims 6-19 are withdrawn from consideration. Claims 1-5 are rejected. Claims 1, 5-8, 10, 11, 13, and 16-19 have been amended.

### **Claim Objections Under 37 CFR 1.75(c)**

It is asserted in the Office Action that Claims 6-19 are objected to under 37 CFR 1.75(c) as being in improper form and therefore have not been further treated on the merits. In response, Applicant has amended Claims 6-8, 10-11, 13, and 16-19 to remove improper multiple claim dependencies.

Accordingly, reconsideration and withdrawal of the objection to Claims 6-19 under 37 CFR 1.75(c) is respectfully requested.

### **Claim Rejections Under 35 USC 112**

Claim 2 is rejected under 35 USC 112, second paragraph. In response, reference numbers 4 and 19 have been deleted from the Claims when referring to the second fastener to avoid ambiguity.

In addition, as shown in Claim 2, . . . the second fastener element is indeed structurally similar to the first fastener element. . . . As already clearly set out in Claims 1 and 2, the first fastener element is "for fastening the article to the body of the rod in releasable manner and in a position that is adjustable along the rod", while the second fastener element is "for fastening the rod to the primary support in a vertical orientation". The second fastener element is therefore not the same as the first fastener element (note also the wording "further comprising" in claim 2).

Accordingly, reconsideration and withdrawal of the rejection of Claim 2 under 35 USC 112, second paragraph, is respectfully requested.

### **Claim Rejections Under 35 USC 102(b)**

Claims 1-5 are rejected under 35 USC 102(b) as being anticipated by United States Patent No. 5641141 issued to Goodwin.

In response, Applicant has amended Claim 1 to specifically point out that the present invention relates to . . . a first assembly part (4) in which a notch (8) is formed, the first assembly part presenting two tabs (12) formed projecting and defining between them an extension of the notch (8), the notch extending by a slot (11) on the side opposite to the tabs (12), the tabs and the portions of the assembly part (4) that are situated on either side of the notch (8) and the slot (11) forming two branches suitable for being splayed apart elastically and . . . (See Figure 1, paragraph [0041] - paragraph [0043] of the publication).

Applicant notes that the branches 114 of the first assembly part of Goodwin (that is a first half of 112) does not allow for holding the first assembly part in place on the body by friction (with it being possible for the part to be slid manually along the body to a selected position) as required by Claim 1.

In addition, the second assembly part (second half of 112) of Goodwin does not allow when it is secured to the first assembly, for the branches 114 to be clamped against the body in such manner so as to lock the first assembly in said selected position as required by Claim 1 (in Goodwin indeed, there is no clamping of the branches 144 against the rod 102, and bolts 116 are needed (col. 5, l.41-45) to secure the support collar 112 to the rod 102).

Furthermore, Goodwin does not describe nor suggest the structural means (notch 8, tabs 12, slot 11) of the first assembly part which allows for holding it in place on the body by friction.

Additionally, it is further submitted that having a notch extending by a slot allows forming a first fastener part which has sufficient elasticity for allowing:

the splaying apart of the branches so as to engage the body between the tabs and then the slot,

then the bringing of the branches closer to each other so as to enclose the body and to lock it with respect to the first assembly part.

Accordingly, reconsideration and withdrawal of the rejection to Claims 1-5 under 35 USC 102(b) as being anticipated by United States Patent No. 5641141 issued to Goodwin, is respectfully requested.

Accordingly, Applicant submits that the claims pending examination, mainly Claims 1-19 are now in condition for allowance, which early action is requested.

If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. If a telephone interview would expedite

the prosecution of this Application, the Examiner is invited to contact the undersigned at  
(310) 207-3800.

Respectfully submitted,

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Date: 4/8, 2008

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**CERTIFICATE OF MAILING**

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Linda Metz

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